<u>REMARKS</u>

Claims 1-25, 27, 29-35, 37-42, 45-53, and 55-59 are currently pending in the subject application and are presently under consideration. Applicants' representative thanks the Examiner for the teleconference of September 16, 2008 wherein merits of the claims over the cited documents were discussed.

Favorable reconsideration of the subject patent application is respectfully requested in view of the comments and amendments herein.

I.   <u>Rejection of Claims 1, 2, 4-10, 12-20, 23, 24, 27, 29-31, 33-35, 37-41, 45, and 58-59 Under 35 U.S.C. §102(b)</u>

Claims 1, 2, 4-10, 12-20, 23, 24, 27, 29-31, 33-35, 37-41, 45, and 58-59 stand rejected under 35 U.S.C. §102(b) as being anticipated by Jacobi (US 6,064,980) in view of Demers (US 2004/0068536). Withdrawal of this rejection is requested for at least the following reasons. The combination of the cited references fails to teach or suggest all claim limitations.

Applicants' claimed subject matter relates to a system that facilitates reviewing and manipulating media *via* an interactive media frame that allows for viewing and/or manipulating media. To this end, independent claim 1 recites ***a media frame component that facilitates full interactivity by a user to remotely*** browse, ***manipulate,*** and view *a plurality of media items stored in the at least one media store by interfacing with the host component, the media frame display retrieves a plurality of media items from the host media store, stores them in a local store* performs edit operations on the media items and transmits back to the host media store and the at least one of modified media items, add and delete operations performed on the media items,** *wherein the local data store is operably connected to the interactive media frame display.* Independent claim 24 and 45 recite similar features. Jacobi *et al.* and Demers, alone or in combination, do not disclose such novel features.

Jacobi *et al.* relates to a recommendation service that uses collaborative filtering techniques to recommend books to users of a Web site. A web server application is disclosed that allows a user to access a catalog of various titles offered by the application *via* a web site. At page 3 of the Final Office Action, the Examiner concedes that Jacobi *et al.* does not teach retrieving and storing media items in a local store and transmit back to the host media store the at least one of modified media items or add and delete operations performed on the media items.

The Examiner cites Demers to cure the aforementioned deficiencies of Jacobi *et al.*

Demers relates to providing a multimedia experience that can include audio, video and graphics, and also the transfer of information between a variety of sources. At the cited portions of paragraph [0074], Demers discloses a user receiving a CD, DVD or other magnetic media via surface mail and installing it in his PC, the content in the magnetic media is stored in the local data store. A broadcast code in the stored data facilitates establishing a two-way relationship with the user. Information about products and services is provided to the user via a GUI that allows the user to browse through the content in the local data store or website content *via* links, and make selections. Nowhere does Demers disclose performing edit operations on the content stored in the local data store and ***transmitting back to the host media store, the at least one modified media items or add and delete operations performed on the media items***. Rather, Demers discloses a user selecting a displayed item and *the selection is transmitted back to the host system*. In contrast, the claimed innovation allows the user to perform operations of addition, deletion, grouping etc, or modify the content retrieved and stored in the local data store. The system then allows the user to transmit back the modified content or the edit operations performed on the content, to the host data store, and updates the host data store. Thus, Demers etc is silent regarding ***a media frame component that facilitates full interactivity by a user to remotely*** browse, ***manipulate*** and view ***a plurality of media items*** stored in the at least one media store by interfacing with the host component, the media frame display retrieves a plurality of media items from the host media store, stores them in a local store**, performs edit operations on the media items and transmits back to the host media store the at least one of modified media items, add and delete operations performed on the media items, wherein the local data store is operably connected to the interactive media frame display** as recited by independent claim 1.

In view of the above, it is clear that Jacobi *et al.* and Demers, alone or in combination, do not disclose all limitations as recited in the subject claims. Accordingly, it is requested that this rejection with respect to independent claims 1, 24 and 45 (and the claims that depend there from) should be withdrawn and the subject claims allowed.

II.   Rejection of Claims 21, 22, 32, 52, and 55-57 Under 35 U.S.C. §102(b)

Claims 21, 22, 32, 52, and 55-57 stand rejected under 35 U.S.C. §102(b) as being

anticipated by Jacobi (US 6,064,980) in view of Demers (US 2004/0068536) further in view of Logan (US 2008/0052739). Withdrawal of this rejection is requested for the following reasons. Neither Jacobi *et al.,* Demers nor Logan, alone or in combination, teach or suggest all limitations recited in the subject claims.

The claimed subject matter relates to a system for accessing media items for viewing and/or manipulation at a media frame component. To this end claim 32 recites *viewing one or more favorite media items on the display comprises performing at least one of the following:* **designating a percentage of media items having common metadata from the retrieved media items as the favorite media items for viewing;** *designating a viewing cycle to cyclically* **display the favorite media items in connection with at least one of an amount of viewable time per media item or a length of time one or more media items are available for viewing on the display.** Jacobi, *et al.,* Demers and Logan, alone or in combination fail to teach or suggest such claimed features.

At page 11 of the Final Office Action, the Examiner concedes that Jacobi *et al.* and Demers do not disclose such novel features as recited by claim 32. The Examiner cites Logan to cure the deficiencies of Jacobi *et al.* and Demers.

Logan relates to a system for enhancing user's enjoyment of available broadcast programming content utilizing metadata to selectively record and playback desired programming. At the cited portions, Logan provides for a user to assemble a playlist that includes both live and recorded programming, by utilizing the metadata provided for each of the media items. Nowhere does Logan teach **designating a percentage of media items having common metadata from the retrieved media items as the favorite media items for viewing,** *designating a viewing cycle to cyclically* **display the favorite media items in connection with at least one of an amount of viewable time per media item or a length of time one or more media items are available for viewing on the display.** Rather, Logan discloses activating the playlist to play the recorded programming, and at the scheduled time of the live program, interrupting the recorded programming to broadcast the live program and after the live broadcast is over, getting back to the record programming. In contrast, the claimed invention allows a user to designate a percentage of media items to display for a given period (*e.g.,* for the month of December, display 50% of last year's Christmas photos, 40% of media items accessed by the frame in the last 10 days and 10% of randomly selected media items from the media store(s)). Therefore, each of the

media items would appear as a slide show on the interactive media frame for a prescribed amount of time (*e.g.,* 10 seconds, 30 seconds, 20 minutes, etc.). Even further, the user can determine an amount of time each of the selected media items are displayed for viewing. Thus, Logan does not disclose *designating a percentage of media items having common metadata from the retrieved media items as the favorite media items for viewing,* or setting *an amount of viewable time* or *a length of time one or more media items are available* for either programme. Thus, Logan does not make up for the aforementioned deficiencies of Jacobi *et al.* and Demers regarding claim 32.

Independent claim 52 recites *a media frame component that facilitates... a display cycle wherein a user designates one or more of a percentage of related media items to display in a single cycle or a time of display for each media item within the display cycle or a period for which each media item is displayed in the display cycle, ...and transmission of at least one media item modified at the media frame back to the remote host media store. .*

At page 13 of the Final Office Action, the Examiner concedes that Jacobi *et al.* does not disclose such novel features as recited by claim 52. As discussed supra with respect to independent claim 1, Demers fails to disclose *transmission of at least one media item modified at the media frame back to the remote host media store* as recited by independent claim 52. The Examiner cites Logan to cure the deficiencies of Jacobi *et al.* and Demers.

Logan relates to a system for enhancing user's enjoyment of available broadcast programming content utilizing metadata to selectively record and playback desired programming. At the cited portions, Logan provides for a user to assemble a playlist that includes both live and recorded programming, by utilizing the metadata provided for each of the media items. However, nowhere does Logan teach or suggest *designating a percentage of media items having common metadata for viewing* let alone teach or suggest a user designating one or more of *a percentage of related media items* to be displayed in a single cycle, or a time of display for each media item within the display cycle or period for which each media item is displayed as recited in independent claim 52. Rather, Logan discloses activating the playlist to play the recorded programming, and at the scheduled time of the live program, interrupting the recorded programming to broadcast the live program and after the live broadcast is over, getting back to the record programming. In contrast, the claimed invention allows a user to designate a percentage of media items to display for a given period and an amount of time each of the

selected media items are displayed for viewing. Logan fails to teach or suggest such features.

~~53.~~   Claim 53 recites *the media frame component comprising a scrubbing component that removes tagged metadata from the one or more media items*. At the cited portions, Jacobi *et al.* discloses a user rating books in a BookMatcher service. After a minimum number of titles have been rated, a recommendations page is displayed to the user, showing the service's recommendations, the user is allowed to browse the titles and rate them. Nowhere does Jacobi *et al.* disclose *the media frame component comprising a scrubbing component that removes tagged metadata from the one or more media items* as recited by claim 53.

Claims 21 recites *a calendar functionality component whereby the one or more media items can be viewed within a viewing cycle coincident with a real time calendar based at least in part on metadata associated with the media items*. Claim 34 recites similar features. At the cited portions, Demers discloses channel definition format (CDF) schemas utilized for scheduling of program transmissions. Nowhere does Demers disclose *the one or more media items can be viewed within a viewing cycle coincident with a real time calendar based at least in part on metadata associated with the media items*. In contrast, the claimed invention relates to associating a viewing/display cycle to a real time calendar so that a user can designate the period of time during which specific media items can be viewed/displayed as part of the cycle. As stated supra, this facilitates functionality wherein a user can specify *e.g.,* for the month of December, display 50% of last year's Christmas photos. Thus, Demers does not disclose aforementioned novel features recited by claim 21.

In view of at least the foregoing, it is clear that none of the cited documents teach or suggest all aspects recited in the subject claims. Hence, this rejection should be withdrawn with respect to dependent claims 21, 22, 34, 35, 53 independent claim 52 and all claims that depend there from.

III.   Rejection of Claims 3, 11, and 25 Under 35 U.S.C. §103(a)

Claims 3, 11, and 25 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Jacobi in view of Demers further in view of Agarwal (2006/0178946). Withdrawal of this rejection is requested for the following reasons. Neither Jacobi *et al.,* Demers nor Agarwal, alone or in combination, teach or suggest all limitations recited in the subject claims.

Claims 3, 11 and 25 respectively depend from independent claims 1 and 24. As

discussed *supra*, Jacobi *et al.* and Demers, alone or in combination, fail to disclose all features recite by independent claims 1 and 24. Agarwal relates to a system for creating gift clusters of multiple items in a client/server environment and for the ordering of such user defined gift clusters of multiple items. However Agarwal fails to disclose the ***media frame display retrieves a plurality of media items from the host media store, stores them in a local store, performs edit operation on the media items and transmits back and saves to the host media store the at least one of modified media items or operations performed on the media items, wherein the local data store is operably connected to the interactive media frame display*** as recited by independent claim 1. Thus, Agarwal does not compensate for the aforementioned deficiencies of Jacobi *et al*, and Demers. The cited references alone or in combination do not teach or suggest all limitations recited in the subject claims. Accordingly, it is requested that this rejection be withdrawn.

IV.   Rejection of Claims 42, 46, and 47 Under 35 U.S.C. §103(a)

Claims 42, 46, and 47 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Jacobi in view of Demers further in view of Kronz (US 6,675,196). Withdrawal of this rejection is requested for the following reasons. The cited references, either alone or in combination, fail to teach or suggest all limitations of the subject claims.

Claims 42, 46 and 47 respectively depend from independent claims 24 and 45. As discussed *supra*, Jacobi *et al.* and Demers alone or in combination, fail to disclose or suggest all features of amended independent claims 24 and 45. Kronz relates to a method and apparatus for enabling any of a variety of devices to communicate with each other over a common or universal protocol. When Kronz is placed in combination with Jacobi *et al.*, and Demers, the combination fails to teach or suggest all claim features recited by the independent claims. Thus, Jacobi *et al.*, Demers or Kronz, alone or in combination, teach or suggest all claim limitations. Accordingly, this rejection should be withdrawn.

V.   Rejection of Claims 48-51 Under 35 U.S.C. §103(a)

Claims 48-51 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Jacobi further in view of Demers in view of Bendinelli (US 6,061,719). Withdrawal of this rejection is requested for at least the following reasons. The cited references, either alone or in combination,

fail to teach or suggest all claim limitations.

Claims 48-51 respectively depend from independent claim 45. As discussed *supra*, Jacobi *et al.* and Demers, alone or in combination, fail to disclose all features of independent claim 45. Bendinelli *et al.* relates to techniques for integrating television and computer systems, and fails to make up for the aforementioned deficiencies of Jacobi *et al.* and Demers.

Thus, even if the cited references were combined, as suggested, they would fail to teach or suggest all claim limitations. Accordingly, it is requested that this rejection be withdrawn.

CONCLUSION

The present application is believed to be in condition for allowance in view of the above comments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063 [MSFTP446USA].

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicants' undersigned representative at the telephone number below.

Respectfully submitted,

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